

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HASAN SHAREEF,

Plaintiff,

vs.

BUTLER COUNTY PUBLIC  
NEWSPAPER and ERIC  
JANKIEWICZ, *Warden Butler*  
*County Jail,*

Defendants.

2:19-cv-320

Hon. J. Nicholas Ranjan

Magistrate Judge Lisa Pupo Lenihan

**MEMORANDUM ORDER**

This is a *pro se* prisoner civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to Magistrate Judge Lisa Pupo Lenihan for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court applicable to Magistrate Judges.

Currently before the Court is [ECF 47] a Report & Recommendation filed by Judge Lenihan on June 5, 2020, recommending that the Court dismiss [ECF 43] Mr. Shareef's claim under 42 U.S.C. § 1983 for failure to state a claim and, further, decline to exercise supplemental jurisdiction over Mr. Shareef's state-law claims. The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), objections to the Report & Recommendation were due by June 19, 2020 (for ECF users) and June 22, 2020 (for non-ECF users). No objections were filed.

Upon a *de novo* review of the record of this matter and the Report & Recommendation, the Court finds no clear error on the face of the record, and therefore enters the following order.

AND NOW, this 6<sup>th</sup> day of July, 2020, it is ORDERED that, insofar as Mr. Shareef asserts a claim under 42 U.S.C. § 1983, that claim is hereby DISMISSED for failure to state a claim for relief based on 28 U.S.C. §

1915(e)(2)(B)(ii) and 28 U.S.C. § 1915A(b)(1). The Court finds that amendment of Mr. Shareef's 42 U.S.C. § 1983 claim would be futile, and so this dismissal is WITH PREJUDICE.

To the extent Mr. Shareef also asserts state-law claims, the Court declines to exercise supplemental jurisdiction over those claims. Thus, it is FURTHER ORDERED that any and all state-law claims are DISMISSED. Because the Court dismisses these claims on jurisdictional grounds, this dismissal is WITHOUT PREJUDICE. In other words, Mr. Shareef is free to file any state-law cause of action he might have in a state court of competent jurisdiction (subject, of course, to the statute of limitations or any other procedural requirements applicable to those claims).

Finally, Judge Lenihan's Report & Recommendation is ADOPTED as the opinion of the Court.

BY THE COURT:

/s/ J. Nicholas Ranjan  
United States District Judge